



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

November 27, 1991

Mr. Cue D. Boykin  
Director  
Railroad Commission of Texas  
P.O. Box 12967, Capitol Station  
Austin, Texas 78711-2967

OR91-595

Dear Mr Boykin:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 13100.

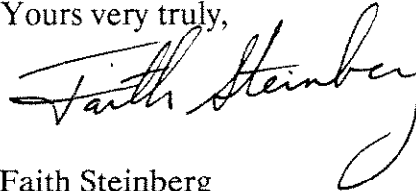
You have received a request for information relating to the investigation of a corporation for possible violations of the Motor Carrier Act. You inform us that the information sought is related to a case filed by the Railroad Commission's Transportation Audit staff seeking administrative penalties under the Motor Carrier Act.

We have considered the exceptions you claimed, specifically sections 3(a)(1) and 3(a)(3), and have reviewed the documents at issue. Previous determinations of this office, Open Records Decision Nos. 551 (1990) and 588 (1990), copies of which are enclosed, resolve your request. For this reason, you may withhold the requested information under section 3(a)(3), which allows exemption from public disclosure for "information relating to litigation . . . to which the state or a political subdivision is, or may be, a party." Because we have resolved your question under section 3(a)(3), it is unnecessary to address your arguments under section 3(a)(1) at this time.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with

a published open records decision. If you have questions about this ruling, please refer to OR91-595.

Yours very truly,

A handwritten signature in black ink, reading "Faith Steinberg". The signature is fluid and cursive, with the first name "Faith" and last name "Steinberg" clearly distinguishable.

Faith Steinberg  
Assistant Attorney General  
Opinion Committee

FS/lb

Ref.: ID# 13100

Enclosures: Open Records Decision Nos. 551, 588

cc: Mr. Mike Cotten  
Clark, Thomas, Winters & Newton  
P.O. Box 1148  
Austin, TX. 78767